In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 17299 of 2006

Date of Decision: 2.11.2006

Smt. Savitri Devi

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Gunjan Mehta, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

It is admitted position that husband of the petitioner had expired while in service as Exemptee Head Constable on 22.7.1984. The son of the petitioner, namely, Anil Kumar was about 1½ years old at that time having been born on 10.3.1983. He is stated to have acquired the qualification of Matriculation in June, 2002 and applied for appointment on a Class IV post on compassionate ground. It has been claimed that an application was filed by the petitioner after the death of her husband for reserving one post for her son under the ex-gratia scheme of the respondent State. The petitioner who is a widow

has been given family pension and certain other benefits. It is well settled that the compassionate appointment is not a mode of entry into government service but it is only to help the surviving members of the family to overcome sudden financial crises created by the death of bread winner, as has been held by Hon'ble the Supreme Court in the casesof **Hindustan Aeronautics Ltd. v. A. Radhika Thirumalai, (1996) 3 SCC 394** and **National Hydro Electric Power Corpn. v. Nanak Chand, (2004) 12 SCC 487**. After such a huge delay of more than 20 years, it cannot be concluded that the situation created by the death of husband of the petitioner is continuing. There is no ground to issue direction to the respondents for giving compassionate appointment to the petitioner or her son.

Dismissed.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)

November 2, 2006
JUDGE

Pkapoor